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26 August 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Item 45 of the provisional agenda*
QUESTION OF THE FALKLAND
ISLANDS (MALVINAS)

SECURITY COUNCIL
Forty-ninth year

Letter dated 26 August 1994 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to refer to the letter to you dated 23 August 1994 from the Permanent Representative of Argentina transmitting to you the text of a note from the Government of the Argentine Republic regarding the extension of the fishery conservation zone of the Falkland Islands (A/49/334). I have the honour to transmit herewith the text of the note dated 26 August 1994 from my Government in response to the note from the Government of the Argentine Republic (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 45 of the provisional agenda, and of the Security Council.

(Signed) D. H. A. HANNAY

* A/49/150.

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Annex

Note dated 26 August 1994 from the Embassy of the United Kindgom of Great Britain and Northern Ireland to the Ministry of Foreign Affairs, International Trade and Worship

The British Embassy presents its compliments to the Ministry of Foreign Affairs, International Trade and Worship, and with reference to the latter's note of 22 August 1994 (A/49/334, annex) has the honour, on instructions, to state the following in response.

The United Kingdom has no doubts about its sovereignty over the Falkland Islands and its consequential right to extend maritime jurisdiction around the Territory in accordance with the rules of international law. Accordingly, the Embassy is instructed to reject the protest contained in the Ministry's note.

The Embassy does not accept the statement in the Ministry's note that "the Argentine Republic has exercised, exercises and will continue to exercise sovereign rights, particularly in the matter of administration and control of fishing activities" in the area lying to the west of and adjacent to the area described in the annex to the Joint Statement of 28 November 1990. The United Kingdom does not recognize Argentine jurisdiction over the area, which lies within 200 miles of the Falkland Islands and more than 200 miles from Argentine baselines.

In regard to the reference in the Ministry's note to resolutions of the General Assembly of the United Nations about the Falkland Islands, the position of the British Government on these resolutions is well known and remains unchanged.

The United Kingdom has taken action to include certain waters which are within 200 miles of Falkland Islands baselines into the Falkland Islands outer conservation zone to prevent the continuation of uncontrolled fishing taking place in that area to the prejudice of the stocks of fish and, in particular, of Illex squid. Argentina's well-known concerns about uncontrolled fishing in the South-West Atlantic are shared by the United Kingdom.

The United Kingdom remains interested in cooperating with Argentina on measures to ensure the effective conservation of the living marine resources in the South-West Atlantic.

The British Embassy avails itself of this opportunity to renew to the Ministry of Foreign Affairs, International Trade and Worship the assurances of its highest consideration.

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SIXTH PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

I. INTRODUCTION

1. The present report is submitted in response to the statement of the President of the Security Council of 13 July 1994 (S/PRST/1994/33) and to the Council's request that the Secretary-General report on the situation in Liberia by 2 September 1994.

2. In that statement, the President noted, inter alia, that limited progress had been achieved in the peace process, that the Liberian National Transitional Government had been unable to extend its authority effectively outside Monrovia; and that preparations for elections had been hampered by a virtual halt in disarmament. Accordingly, the Council called on the Transitional Government, in cooperation with the Economic Community of West African States (ECOWAS) and the Organization of African Unity (OAU), and with the support of the United Nations Observer Mission in Liberia (UNOMIL), to convene a meeting of the Liberian factions by 31 July 1994 to address the problems affecting disarmament and to draw up a realistic plan for disarmament, including a date for the completion of the exercise.

3. The Security Council also expressed concern about cease-fire violations and about large-scale displacement of and atrocities against civilians. The Council deplored attacks against UNOMIL and ECOWAS Military Observer Group (ECOMOG) personnel and regretted that sufficient financial support for ECOMOG troops was not yet forthcoming, despite several appeals to the international community. The Council further requested the Secretary-General to ensure that all information on violations of the cease-fire and arms embargo obtained by UNOMIL is promptly made available to the Security Council and widely publicized, as appropriate.

II. POLITICAL ASPECTS

4. Nearly six months have elapsed since the seating of the Liberian National Transitional Government on 7 March 1994, and the Government is still not fully installed. A number of deputy ministers, as well as heads of autonomous agencies and public corporations from the Interim Government of National Unity

continue to hold their posts. Sessions of the Council of State and Cabinet, though frequent, provide little evidence of progress, as the members seem to reflect the views of the parties which nominated them, as opposed to working as a unified executive. While the factions assert that the Government will not be inclusionary until all posts are occupied by new nominees, it is the view of some members of the Council that the inclusionary nature of the Government cannot be fulfilled while factions continue to occupy territory. Visits have been undertaken by members of the Council and Cabinet to various counties in an attempt to exert their authority over the entire country. However, with a few notable exceptions, these visits have been infrequent and unproductive. No appointments of superintendents or local administrators have yet been announced.

5. The Liberian issue was thoroughly debated during the seventeenth session of the Authority of Heads of State and Government of ECOWAS, held in Abuja on 5 and 6 August 1994. The ECOWAS heads of State concluded, inter alia, that the Cotonou Agreement (S/26272, annex) remains the only basis for peace in Liberia. They affirmed that, in accordance with the Agreement, the Liberian National Transitional Government is the legal Government of Liberia and called on the international community to recognize the Transitional Government and to give it all necessary support and assistance. The heads of State supported the ongoing efforts of many Liberians to restore confidence and bring about genuine reconciliation. They also called for collaboration between the Transitional Government, ECOWAS, OAU and the United Nations in drawing up a new timetable for free and fair elections. They strongly condemned the mushrooming of factions that has occurred since the signing of the Cotonou Agreement and called for an immediate cease-fire and disarmament.

6. I have been informed by my Special Representative that a Citizens' Consultative Meeting of several Liberian interest groups was held at Monrovia from 29 to 30 July 1994, at the initiative of the Liberian Bar Association. The Consultative Meeting reportedly decided to convene a national conference of all interested Liberians to determine ways to advance the peace process. I am further informed that this Conference, the "Liberian National Conference", to be held from 24 August to 7 September 1994, is aimed at ensuring the widest possible participation, including the warring factions and various interest groups (the association of chiefs and elders, women's organizations, political parties and representatives of the 13 counties). It is stated that the goal of the Conference is to seek a consensus on a strategy for disarmament, including a timetable and a target date for completion, a date for elections, as well as the electoral system to be used. My Special Representative has reported that the Liberian National Transitional Government fully subscribes to the ideals of the Conference.

7. In his statement of 13 July, the President of the Security Council had called upon the Liberian National Transitional Government to convene a meeting of the factions by 31 July 1994 in order to agree on a strategy for disarmament. However, it has been indicated that the meeting was postponed to permit the Transitional Government to seek an endorsement of the Liberian National Conference by the ECOWAS foreign ministers and heads of State. It is the hope of many Liberians that, with this endorsement, the Liberian National Conference will serve as a vehicle for obtaining a consensus on a strategy for disarmament and elections.

8. My Special Representative has held discussions with the Elections Commission, the Council of State and political parties on the electoral system. Papers providing options analyses and information on the experience of other countries that have held elections after lengthy conflicts have been widely circulated to the organizers of the Liberian National Conference. As noted above, the Conference is expected to make recommendations to the Liberian National Transitional Government and the Elections Commission on the timing of the elections and the electoral system to be adopted.

III. MILITARY ASPECTS

9. Since my report of 24 June (S/1994/760), fighting has continued in the west between the Krahn and Mandingo elements of the United Liberation Movement for Democracy in Liberia (ULIMO). Despite efforts on the part of UNOMIL, ECOMOG and Liberian negotiators to help these groups reconcile, tensions between them remain high. In the south-east, fighting continues between the Liberian Peace Council (LPC) and the National Patriotic Front for Liberia (NPFL), especially around the Firestone Plantation.

10. All factions are experiencing serious problems of command and control. This is reflected in an increase in banditry, harassment of civilians, including non-governmental organizations and unarmed United Nations military observers, with vehicles being commandeered at will by NPFL and ULIMO combatants, and looting of the World Food Programme (WFP) and International Committee of the Red Cross (ICRC) warehouses in Gbarnga and the UNOMIL regional headquarters in Tubmanburg. Reports have also been received of clashes between NPFL forces and of public executions in Gbarnga and continued LPC atrocities against civilians in the south-east.

11. There are also signs of a split within the NPFL hierarchy. Skirmishes between groups loyal to different NPFL generals have occurred in Margibi (Konola), Nimba and Maryland counties. This may account for the number of reports of public executions carried out by the NPFL.

12. On 26 July, the Armed Forces of Liberia (AFL), the ULIMO Krahn faction, an NPFL break-away minister in the Liberian National Transitional Government and the Lofa Defence Force (LDF), issued a joint communiqué calling for the cessation of all hostilities. While hostilities have not ceased, this communiqué, coupled with recent movements of AFL and LPC in the Firestone Plantation has, however, been interpreted as an anti-NPFL realignment.

13. Owing to the deterioration of the security situation, especially in the ULIMO and NPFL areas, UNOMIL deployment has been reduced from 29 to 21 teams in the period since my last report (see attached map). Following the kidnapping of six military observers in Tubmanburg on 28 June, UNOMIL withdrew all its observers from the western region. While UNOMIL continues to be fully deployed in the central region, observers have been withdrawn from two of the nine sites in the northern region because of a lack of security. In the eastern region, observers are deployed at three sites; however, UNOMIL has still not been able to deploy to six of the nine sites in this region. With the slow-down in

activities as a result of the security situation, 30 military observers have been reassigned to Rwanda.

14. Following the seating of the Liberian National Transitional Government on 7 March, and in accordance with the Cotonou Agreement, the Joint Cease-fire Monitoring Committee was replaced by the Violations Committee, which has met seven times since then. To date, 49 cases (41 against NPFL and 8 against ULIMO) have been received and 6 resolved. Since the month of June, 27 cease-fire violations (20 by NPFL and 7 by ULIMO) have been reported. Most of these cases are still under investigation. The Chief Military Observer has written to the high command of both NPFL and ULIMO and is awaiting information from them on the unresolved cases. The last two meetings of the Violations Committee had to be cancelled because of the unexplained absence of NPFL and ULIMO representatives.

15. ECOMOG continues to be faced with resource and logistic problems. As a result, ECOMOG's plan to deploy throughout the country has still not materialized and there has been no further deployment since my last report. The leader of the NPFL, Mr. Charles Taylor, has extended an invitation to the ECOMOG Field Commander to visit Gbarnga to discuss deployment in NPFL territory, as a prelude to disarmament. Recent ECOMOG rotations at brigade command and battalion levels and consultations with NPFL may serve to increase confidence and strengthen ECOMOG's ability to deploy deeper into the country.

16. At their recent meeting at Abuja, the ECOWAS heads of State stressed the need for resources to ensure that ECOMOG is able to carry out its mandate as provided in the Cotonou Agreement and for the demobilization and rehabilitation of ex-combatants. In my reports to the Security Council, I have consistently emphasized ECOMOG's critical need for resources to carry out its mandate. On 29 June, I sent a letter to United States Secretary of State Warren Christopher, informing him of the financial difficulties ECOMOG troop-contributing countries were encountering. In his reply, Mr. Christopher outlined the substantial contribution the United States had already made, both bilaterally and through the United Nations Trust Fund for Liberia. He expressed the hope that other countries would be able to provide financial support to this worthy example of regional peace-keeping. In July, I also wrote to a number of other Member States, urging them to contribute resources to ECOMOG through the United Nations Trust Fund for Liberia. To date, however, the response has been disappointing and the resources of the Trust Fund are running out. Plans are under way for a delegation of ECOWAS foreign ministers to visit donor capitals to seek additional funding.

IV. DEMOBILIZATION AND REINTEGRATION

17. As a result of the continued fighting and lack of security, the disarmament process has largely come to a halt. As at 22 August 1994, 3,612 combatants (out of an estimated total of about 60,000) had been disarmed and demobilized. My Special Representative has reported that individual combatants have indicated a willingness to disarm, but that their leaders seem to be halting the process. Since my last report, only 420 combatants have been disarmed. Faction leaders have not been willing to allow their combatants to disarm owing to the pervasive atmosphere of mistrust among them, exacerbated by LPC attacks against NPFL in

the south-east, and military movements by LPC, AFL and NPFL in the Firestone Plantation. While efforts by the Liberian National Transitional Government, UNOMIL and ECOMOG, as well as by influential Liberian groups, to bring about a cessation of hostilities and the disengagement and disarmament of forces have so far not been successful, it is hoped that the upcoming Liberian National Conference will help define a workable solution leading to the prompt resumption and completion of the disarmament process.

18. In view of the slow-down in disarmament, a 60 per cent reduction in the civilian staff at the three operating demobilization centres has been effected. However, the remaining staff will continue to undertake community health, education and counselling services. Further, with the mobile capability built into the programme, as many as 150 combatants can be demobilized daily with a team operating within a radius of 60 miles or 2 hours from the existing centres. Once disarmament resumes, stand-by staff will be immediately reassigned. The National Volunteer Programme continues to expand, absorbing some 600 ex-combatants into a labour-intensive food-for-work project.

V. HUMANITARIAN ASSISTANCE

19. Large parts of the country, particularly in the west and south-east, remain inaccessible to humanitarian organizations because of fighting and general insecurity. Moreover, command and control problems among the various factions have had a negative impact on the distribution of humanitarian assistance. Harassment of non-governmental organizations and United Nations civilian personnel, accompanied by looting of food stores and trucks and frequent commandeering of vehicles in both NPFL and ULIMO territories, have destabilized humanitarian assistance supply lines and created a sense of insecurity within the emergency relief community.

20. In spite of these difficult conditions, United Nations and non-governmental relief organizations continue to make every effort to assist the displaced people and other vulnerable groups. Despite the withdrawal last month of UNOMIL from the western region, several convoys have been dispatched by WFP to the area, under ECOMOG escort. Convoys are also sent periodically from Monrovia to Gbarnga, and across the border from Côte d'Ivoire.

21. Since my last report to the Security Council, displacement of civilians has been on the increase. In Monrovia, the outbreak of diarrhoeal diseases and a few confirmed cases of cholera reflect the overcrowding and poor sanitary and health conditions in sections of the city. Similarly, Buchanan is bursting at the seams from the steady influx of about 100 displaced persons per day from the south-east. Continued fighting between both elements of ULIMO is held responsible for displacement in Bomi and Grand Cape Mount counties in the order of 75,000 people. Reports are being received of a daily trek of Liberian refugees entering Côte d'Ivoire at Tabu.

22. Very little information is available for most counties in the south-east and in Upper Lofa. For example, since all humanitarian activities in Upper Lofa ceased in December 1993, when ULIMO looted and destroyed the Office of the United Nations High Commissioner for Refugees (UNHCR) base camp which served the

United Nations and non-governmental organization community, information on displaced Liberians and Sierra Leone refugees in that county is sparse. Several attempts to undertake reconnaissance missions to assess the state of affairs in that area were aborted on the grounds of lack of security. A mission was finally dispatched to Voinjama and Vahun on 20 August 1994, including participants from the Liberian National Transitional Government, UNOMIL, ECOMOG, UNHCR, UNICEF, Médecins sans frontières (Belgium), Catholic Relief Services, the Lutheran World Federation and ULIMO. After reviewing their assessments, the humanitarian agencies will determine whether conditions are suitable for the resumption of relief activities in the area. A second flight with emergency medical supplies, was sent on 24 August.

23. Spontaneous repatriation of refugees has also decreased because of uncertainties arising from the problems associated with disarmament. UNHCR plans to launch a pilot project for organized repatriation and established a base of operations in Bong county in March 1994. Since then, UNHCR has carried out systematic registration and verification of numbers. Among the problems that have arisen is that many spontaneous returnees cross at random entry points, making monitoring difficult. UNHCR is therefore considering the establishment of transit shelters in border locations to facilitate the flow of spontaneous returnees from Côte d'Ivoire and Guinea.

VI. PROTECTION OF HUMAN RIGHTS

24. A consultant on human rights visited Liberia in July 1994 and recommended that UNOMIL establish a human rights unit, provide support for a consortium of Liberian human rights organizations, direct United Nations military observers to include human rights violations in their reports and urge the Liberian National Transitional Government to agree on a policy for the treatment of reports of human rights violations. My Special Representative agrees with these measures and has undertaken to implement them to the extent that the present UNOMIL budget allows. While it is recognized that a transitional government with a restricted mandate and faced with complex political obstacles may not be able to deal adequately with human rights problems, information gathered can be recorded and handed over to a future elected government.

VII. FINANCIAL ASPECTS

25. The General Assembly, by its resolution 48/247 A of 5 April 1994, authorized the Secretary-General to enter into commitments for the maintenance of UNOMIL, at a monthly rate not to exceed $4,359,100 gross ($4,232,900 net), for a period of three months, should the Security Council decide to continue the Observer Mission beyond 21 April 1994.

26. By its resolution 48/247 B of 29 July 1994, the Assembly further authorized the Secretary-General to enter into commitments in an additional amount of $9,922,700 gross ($9,449,300 net) for the period from 22 April to 22 October 1994.

27. As at 31 July 1994, of the $39.8 million assessed on Member States, unpaid assessments to the UNOMIL Special Account amounted to $18.9 million. As at 31 July 1994, the total amount of outstanding assessed contributions for all peace-keeping operations was $2,535.8 million.

28. With regard to the Trust Fund for the Implementation of the Cotonou Agreement on Liberia, as at 31 July 1994, voluntary contributions received amounted to $17.5 million, of which disbursements totalling $14.5 million have been authorized.

VIII. OBSERVATIONS

29. I regret to have to report that, since my last report to the Security Council on 24 June (S/1994/760), the situation in Liberia has further seriously deteriorated. The factions continue to hold territory. Command and control problems abound within every faction. Population displacement from the counties in the south-east and west continues to grow with every new wave of fighting and with each report of atrocities against civilians. ECOMOG is still not fully deployed and UNOMIL has recently withdrawn from the western region.

30. Rumours of a split within NPFL seem reliable, given the increasing reports of public executions. The split in ULIMO remains unresolved. AFL, LPC and the Krahn wing of ULIMO seem to be realigning with breakaway NPFL officials and are reported to be preparing a military offensive against NPFL. My Special Representative has reminded all Liberians that the United Nations can play a useful role only if the Liberian National Transitional Government and the parties have the political will to implement the Cotonou Agreement of July 1993, and to restore the peace and stability that the Liberian people have aspired to for so long. In this context, I welcome the decision of the ECOWAS heads of State and Government to reaffirm their commitment to the Cotonou Agreement as the only framework for peace in Liberia.

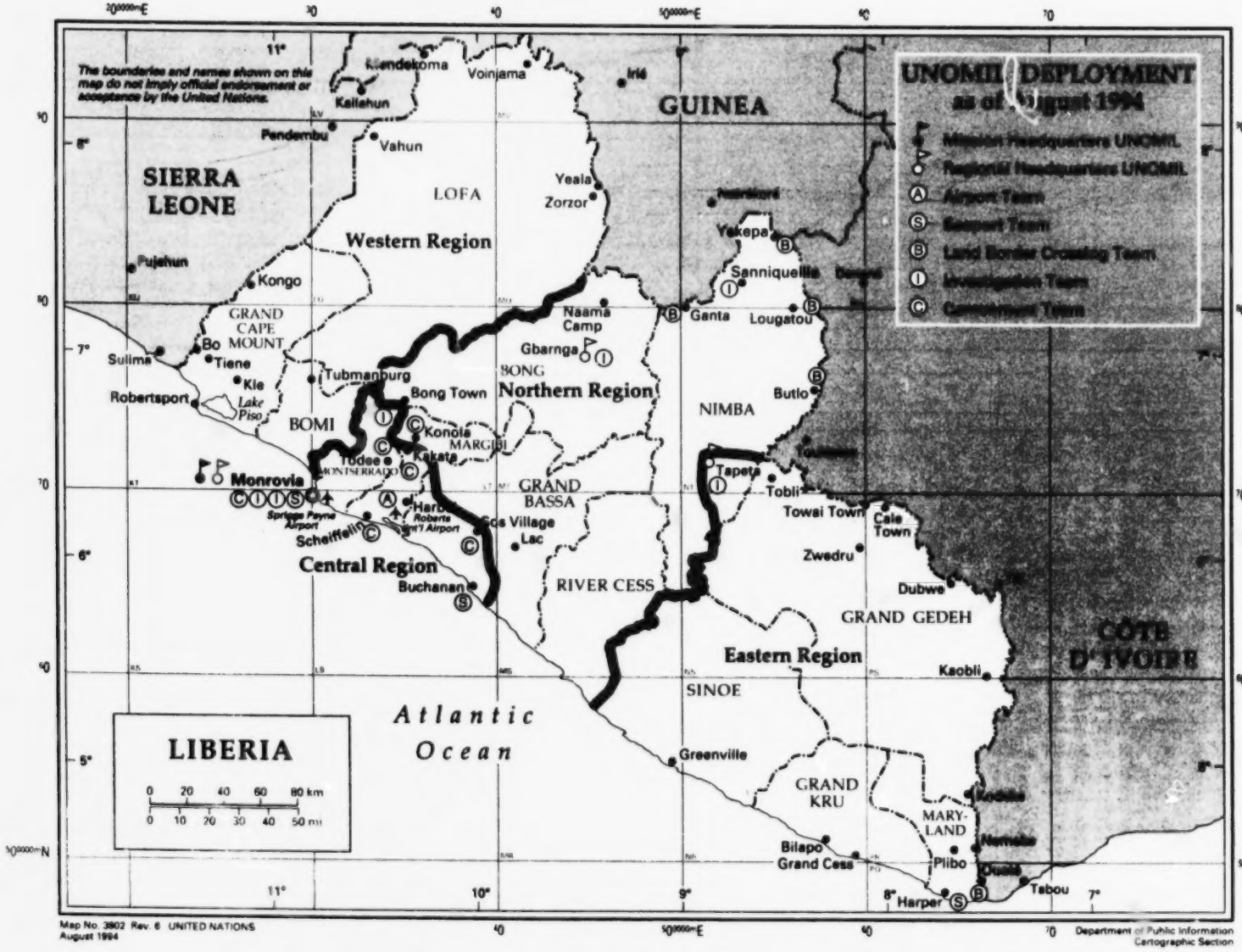
31. Disarmament has now virtually ceased and there is no clear prospect as to when elections will or can be held. In fact, observers fear that some of the parties may prefer to seek a solution to Liberia's problems through military confrontation rather than by promoting the democratic process to which they committed themselves under the Cotonou Agreement. While the Liberian National Conference is not the conference the Security Council called upon the Liberian National Transitional Government to organize in order to focus specifically on the pressing issue of disarmament, many people in Liberia hope that it will contribute to a reactivation of the peace process and that it will facilitate an agreement on the key questions of disarmament and elections. To this end, I have instructed my Special Representative to extend support to the Conference.

32. I must stress, however, that I have followed the recent evolution of the situation and the absence of progress in the peace process in Liberia with increasing concern. It is for this reason that I recently decided to send to Liberia a fact-finding mission headed by Mr. Lakhdar Brahimi. That mission, which was still in Monrovia at the time of the preparation of the present report, will review the situation and advise me on the most appropriate course of action, in the light of the outcome of the Liberian National Conference. I

intend to submit to the Security Council the necessary recommendations, including on the future role of the United Nations in Liberia, in the context of my next report, before the expiration of the mandate of UNOMIL on 22 October 1994. Furthermore, I recently dispatched a team, led by the Chief Military Observer and including an official of the Liberian National Transitional Government, to Uganda to draw some lessons from their experience in the manner they resolved their crisis. Uganda is among the few African countries to have successfully carried out a large-scale demobilization of former combatants.

33. Finally, I wish to reiterate my support for the recent call by the ECOWAS heads of State for financial resources to enable ECOMOG to carry out its responsibilities in accordance with the Cotonou Agreement. Without international financial support, ECOMOG will continue to be severely hampered in its commendable efforts fully to carry out its mandate in Liberia. I believe that the clearly insufficient level of such assistance has been a factor in the slow progress of the peace process in Liberia.

34. I also wish to express my appreciation to my Special Representative, Mr. Trevor Gordon-Somers, and to the military and civilian staff of UNOMIL for the dedication and competence with which they have carried out their tasks, under demanding and often hazardous conditions.


The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
UNOMIL DEPLOYMENT as of August 1994
Mission Headquarters UNOMIL
Regional Headquarters UNOMIL
Airport Team
Seaport Team
Land Border Crossing Team
Investigation Team
Cantonment Team
GUINEA
SIERRA LEONE
LIBERIA
Atlantic Ocean
CÔTE D'IVOIRE
Western Region
Northern Region
Central Region
Eastern Region
LOFA
BOMI
GRAND CAPE MOUNT
GBARPOLU
BONG
NIMBA
MARGIBI
GRAND BASSA
RIVER CESS
GRAND GEDEH
SINOE
GRAND KRU
MARYLAND
Kolahun
Voinjama
Pendembu
Vahun
Yeala
Zorzor
Yekepa
Sanniquellie
Ganta
Lougatou
Pujehun
Kongo
Naama Camp
Gbarnga
Sulima
Bo
Tiene
Kle
Lake Piso
Robertsport
Tubmanburg
Bong Town
Butlo
Konola
Kakata
Tapeta
Tobli
Monrovia
Sprigg Payne Airport
Roberts Int'l Airport
Scheifflin
Gbo Village
Lac
Towai Town
Cale Town
Zwedru
Buchanan
Dubwe
Kaobli
Greenville
Bilapo
Grand Cess
Plibo
Tabou
Harper
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